

III. REMARKS

Applicants thank the Examiner for extending the courtesy of a telephone interview on 4 December 2008 during which it was agreed that the Examiner would renumber the claims upon allowance.

The independent claims have been amended to delete the second occurrence of the word "to" in the specified clause. It is therefore submitted that the claims are no longer objectionable.

Claims 19 and 20 have been amended to recite "mobile system", "mobile station" and "base station". Thus these claims are tied to a particular apparatus. Hence the rejection under 35 U.S.C. 101 should be withdrawn.

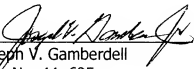
Independent claims 20-23, 25, 27 and 30-32 have been amended to incorporate the limitations of allowable claim 26. Hence they are allowable.

Thus the rejection of claim 20 under 35 U.S.C. 102 over Persson and also the rejection under 35 U.S.C. 103 on Persson in view of Tiedemann should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, reopening prosecution, remand to the Examiner, favorable reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized to charge \$130 for a one month extension of time and for any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



Joseph V. Gambardell
Reg. No. 44, 695

3 March 2009
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512